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**Attorney for Defendant**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF OREGON**

**UNITED STATES OF AMERICA,**

**No. 3:22-cr-00421-IM-1**

**Plaintiff,**

**v.**

**UNOPPOSED MOTION TO  
CONTINUE TRIAL DATE**

**KEVIN ROBERT MCCARTY,**

**Defendant.**

Defendant, Kevin Robert McCarty, through his attorney, Robert Hamilton, hereby moves the Court, pursuant to Fed. R. Crim. P. 12 and 18 U.S.C. § 3161(h), for an order rescheduling the trial date from January 17, 2023, to March 21, 2023, or such date thereafter convenient to the Court. This motion is based on the reasons set forth in the accompanying declaration of counsel and is unopposed by Assistant United States Attorney Gary Susman.

Mr. McCarty waived his arraignment on December 2, 2022, on one count of Online Enticement of a Minor and two counts of Sexual Exploitation of a Child. No prior continuance of the trial date has been sought by the defense.

Mr. McCarty understands that this motion will result in excludable delay under the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

Respectfully submitted on January 3, 2023.

/s/ Robert Hamilton

Robert Hamilton  
Assistant Federal Public Defender